

# Exhibit 45:

## J.S. Declaration

**DECLARATION OF J.S.**

1. I am a current registrant on Michigan's Sex Offender Registry. I was convicted of CSC-1 in November of 1990. As a result of my conviction, I spent eight-and-a-half years in prison until I was released in July of 1999. I am a tier III registrant and am required to register for the rest of my life.

2. At the time of my conviction, the sex offender registry did not exist. When I opted for a jury trial, I had no idea that I would end up on a sex offender registry, much less that I would be on the registry for the rest of my life.

3. I was added to the registry when it was created in 1995 while I was still in prison. When I was initially added to the registry, I received notice that I would only be on the registry for 25 years. But my registration period was extended after the 2011 changes to SORA, making me a lifetime registrant. I am now 76 years old and have been on the registry for 27 years. If my registration had not been extended, I would have been removed from the registry two years ago in October 2020.

4. I have difficulty understanding SORA, even though I have a bachelor's degree in business. For instance, I do not understand how my current occupation is meant to be reported. I run a religious fellowship, and specifically minister to prisoners. I am confused about whether, under SORA, I am an unpaid, self-employed worker or an unpaid religious volunteer? I operate out of my home either way. I do not know which of my activities I have to report. For example, when I hold the ministry

sessions for prisoners, I don't know if I am supposed to report that. The information on the Explanations of Duties form is unclear on this and confuses me. Yet I could go to prison if I do not report something that I am supposed to report.

5. My Christian faith is very important to me, and therefore I volunteer my time, services and resources to give back to my community. I have no idea if I am violating SORA when I volunteer in this role. The SORA statute says I am supposed to report my "employment" and "employers." But the MSP SORA verification form tells me I am required to report in person the contact information of my employer, "including volunteer work." I don't know whether I have to report my volunteer activities, and if I do, what I am supposed to report since I supervise my own volunteer work.

6. The undefined restrictions on "volunteer work" has caused me to lose and abandon volunteer work and efforts. In 2021, I unfortunately had to abandon a project with an organization I had been working with since 2015. I had been volunteering at this organization from 2015 until 2020, doing things like providing training, conducting tours of the facilities for visitors, doing research assignments, assisting with event preparations, and much more. I stopped volunteering for this organization because I could not understand if, what, and when I needed to report regarding my roles. The only safe thing to do would have been to constantly report, and I just was not in a position to do that.

7. It is burdensome and expensive to be sure I am in compliance with SORA. I need to make *at least* two trips per volunteer event/role to report first that I have started a new assignment, and then to report that I have ended each assignment. At 76 years old, the stress of a possible arrest, prosecution, and subsequent prison sentence for failing to report on something that confuses me is too much to consider.

8. The confusion around SORA has also made it hard for me to travel. I have not left the state of Michigan in over 33 years. With the exception of a short stay with my disabled brother (15 years ago) and stays in hospital and rehab facilities, I have not stayed overnight anywhere that was not my own home since leaving prison in 1999. The reporting requirements for travel are onerous and confusing and I am simply too old to weather a stay in county jail for violating a SORA requirement I was not even aware of. Leaving the state or country is even more daunting as the restrictions are ever more confusing and complicated, requiring me to possibly register at each and every as-yet-unknown local/state police agency along the way. As much as I would truly love to travel, I am afraid of the unclear consequences under SORA.

9. The new Explanation of Duties for is just as confusing as the old one. I do not understand it fully, but I am still compelled to sign it. I do not like that I have to sign the form because I do not agree with what it states, but, if I don't sign it I face being charged with a misdemeanor. I feel as though I am caught between a rock and

a hard place: either I don't sign the form and risk arrest, or I perjure myself and affix a false confession signature.

I, J.S., certify under penalty of perjury that the above statement is true and correct pursuant to 28 U.S.C. § 1746.

J.S.

(name on file with Plaintiff's counsel)

March 14, 2023